

BECKHAM COUNTY  
FILED

IN THE DISTRICT COURT OF BECKHAM COUNTY  
STATE OF OKLAHOMA

NOV 04 2016

BY DONNA HOWELL COURT CLERK  
DEPUTY

Omar Mohamed,

Plaintiff,

Vs.

Yassien Issa and Benefit Trucking Inc. ,  
Defendants.

Case No. CJ-16-164

PETITION

COME NOW Plaintiff, Omar Mohamed, individually (hereinafter Plaintiff) for his cause of action against Defendants, Yassien Issa and Benefit Trucking, Inc. (hereinafter Defendants) state as follows:

THE PARTIES

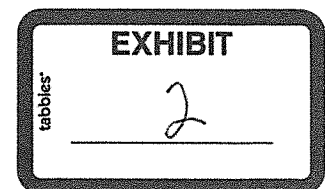
1. Plaintiff was a resident of Irving, Texas at the time of the incident hereinafter described.
2. Defendant Issa was a resident of Irving, Texas at the time of the incident hereinafter described.
3. Defendant Benefit Trucking Inc. was a company located in the State of Illinois.

JURISDICTION AND VENUE

4. This is an action arising from an incident that occurred in Beckham County, Oklahoma, when Defendant Issa negligently operated a motor vehicle while acting in the scope of his employment with Defendant Benefit Trucking and as a result Plaintiff was injured.
5. This Court has jurisdiction over the parties hereto, jurisdiction of the subject matter hereof, and venue is proper.

THE CAUSE OF ACTION

6. On November 16, 2014, an incident occurred when the Defendant Issa failed to properly operate a motor vehicle in which Plaintiff was asleep as a passenger causing multiple injuries to Plaintiff.
7. The incident occurred at Interstate 40 E/B near Erick, Oklahoma in Beckham County, State of Oklahoma.
8. The Defendant's negligence hurt Plaintiff and caused the injuries and damages to Plaintiff that are described below.
9. At all times Plaintiff was acting in a safe and prudent manner.



**CAUSATION OF PLAINTIFF'S INJURIES AND DAMAGES**

10. The injuries and damages sustained by the Plaintiff, more particularly described below, were produced in a natural and continuous sequence from Defendants and/or Defendants' negligence.

**COMPENSATORY DAMAGES SUSTAINED BY PLAINTIFF**

10. The injuries and damages sustained by the Plaintiff as a result of Defendants and/or Defendants violations of one or more of the above described safety rules, include but are not limited to the following:

- A. Plaintiff's physical pain and suffering, past and future;
- B. Plaintiff's mental pain and suffering, past and future;
- C. Plaintiff's age;
- D. Plaintiff's physical condition immediately before and after the incident;
- E. The nature and extent of Plaintiff's injuries;
- F. Whether the injuries are permanent;
- G. The physical impairment;
- H. The disfigurement;
- I. Loss of [earnings/time];
- J. Impairment of earning capacity;
- K. The reasonable expenses of the necessary medical care, treatment, and services, past and future.

Pursuant to the provisions of 12 O.S. §3226(A)(2)(a), Plaintiff submits this preliminary computation of damages sought in this lawsuit. As this is an action for injuries suffered by an adult, Plaintiff advise that all damages recoverable by law are sought, including those listed in OUJI3d 4.1. Under item (K), Plaintiff Omar Mohamed's medical bills currently total \$13,113.36 and his loss of earnings under item (I) total \$21,000.00. At this point, Plaintiff does not know the amount of future medical expense and other medical expenses of which Plaintiff may not have received. These items are among the elements for the jury to consider in fixing the amount of damages to award to Plaintiff. Other than the amounts

which Plaintiff has specifically identified, and which are capable of being ascertained to some degree of certainty, Plaintiff is unable to guess or speculate as to what amount of damages a jury might award.

**AMOUNT OF DAMAGES**

32. The Plaintiff's injuries and damages are in excess of the amount required for diversity jurisdiction under 28 USC 1332 (currently \$75,000.00) plus interest, costs and all such other and further relief for which should be awarded as judgment against the Defendants in an amount to fully and fairly compensate Plaintiff for each and every element of damages that has been suffered, including punitive damages.

**DEMAND FOR JURY TRIAL**

33. Plaintiff demands a jury trial for all issues of fact presented by this action.

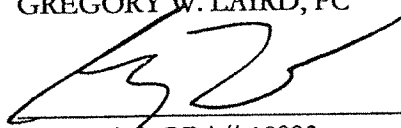
**RESERVATION OF ADDITIONAL CLAIMS**

34. Plaintiff reserves the right to plead further upon completion of discovery to state additional claims and to name additional parties to this action.

WHEREFORE, Plaintiff prays for judgment against the Defendant in a sum in excess of the amount required for diversity jurisdiction under 28 USC 1332 (currently \$75,000.00) plus interest, costs, punitive damages and all such other and further relief as to which Plaintiff may be entitled.

Respectfully submitted,

GREGORY W. LAIRD, PC



Greg Laird, OBA# 18093

406 S. Boulder, Suite 480

Tulsa, OK 74103

Telephone: (918) 551-8989

Facsimile: (918) 582-6106

E-mail: [greglairdlaw@gmail.com](mailto:greglairdlaw@gmail.com)

ATTORNEY FOR PLAINTIFF

**ATTORNEY LIEN CLAIMED**